

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

In Re:)	Bankruptcy Case No. 20-02804-jw
)	
Terry Wayne Strickland and Mattie Charlene Strickland,)	Chapter 12
)	
Debtors.)	
)	

TRUSTEE'S OBJECTION TO DEBTORS' PROPOSED CHAPTER 12 PLAN

J. Kershaw Spong, the Chapter 12 Trustee, hereby objects to the Debtors' proposed Chapter 12 plan filed October 5, 2020 on the following grounds:

1. The plan does not meet the requirements of 11 U.S.C. §1225(a)(1) in that the plan fails to comply with the applicable provisions of this Title.
2. The plan does not meet the confirmation requirements of 11 U.S.C. §1225(a)(6) because the plan is not feasible and the Debtors will not be able to make all payments under the plan and to comply with the plan.
3. The plan fails to provide for the sale of all or any party of the property of the estate pursuant to 11 U.S.C. §1222(a)(8).
4. The plan fails to specify remedies for creditors if Debtors default under the plan including the sale of all or any part of the property of the estate, subject to further notice and approval by the Court and under the supervision of the Trustee as required by 11 U.S.C. §1206.
5. The plan fails to expressly revoke the placement of Debtors' real property in the Revocable Trusts identified in Debtors' schedules, and fails to revoke the Trust and expressly state that the real properties are property of the estate.

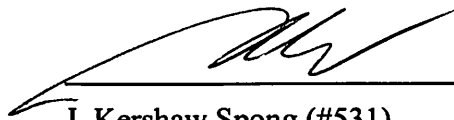
6. The plan fails to provide the vesting of property of the estate in the Debtors only upon completion of the plan by Debtor.

7. The plan fails to provide that all Debtors' projected disposable income will be applied toward the plan as required by 11 U.S.C. §1225(b)(1).

8. The plan fails to provide for treatment of all claims filed in this case.

9. The plan fails to provide for treatment of all secured claims listed in Debtors' schedules.

WHEREFORE, the Trustee prays the court deny confirmation of the Debtors' proposed Chapter 12 plan.



J. Kershaw Spong (#531)
Chapter 12 Trustee
P.O. Box 11449
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kspong@robinsongray.com

Columbia, South Carolina

October 21, 2020

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

In Re:) **Bankruptcy Case No. 20-02804-jw**
))
Terry Wayne Strickland and Mattie) **Chapter 12**
Charlene Strickland,))
) **CERTIFICATE OF SERVICE**
Debtor.))
))

This is to certify that I, Melissa H. White, Paralegal for J. Kershaw Spong, have this day caused to be served upon the person(s) named below the **Trustee's Objection to Debtors' Proposed Chapter 12 Plan** in the foregoing matter by placing a copy of same in the United States Mail, first class with postage prepaid, in an envelope addressed as follows:

Terry Wayne Strickland
Mattie Charlene Strickland
6470 Strickland Road
Green Sea, SC 29545

Reid Smith
Bird & Smith, PA
1712 St. Julian Place, Suite 102
Columbia, SC 29204

Dated at Columbia, South Carolina this 21st day of October, 2020.

Melissa H. White